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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,459	03/28/2001	Toshihiko Ueno	JP9 2000 0380US1	3433

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EXAMINER	
NGUYEN, NGA B	

ART UNIT	PAPER NUMBER
3692	

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/819,459	UENO ET AL.	
	Examiner	Art Unit	
	Nga B. Nguyen	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on June 20, 2006, which paper has been placed of record in the file.

2. Claims 1-28 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of new grounds of rejection.

4. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pitroda, U.S. Patent No. 5,884,271, in view of Ogasawara, U.S. Patent No. 6,577,861.

Regarding to claim 1, Pitroda discloses a processing system comprising:

a data management server for storing registration information about a customer (figure 2 and column 10, line 65-column 11, line 3, the main central computer 26);

a customer communication terminal adapted for data communication with said data management server and for outputting information for identifying a customer (figure 2, Universal Electronic Transaction (UET) card 20); and

a process execution terminal for receiving said information for identifying the customer from said customer communication terminal and executing a process for said customer (figure 2 and column 10, lines 25-40, the POS computer 23), wherein:

said process execution terminal provides said information to said data management server when receiving said information for identifying the customer (column 10, lines 25-30, the POS computer 23 interfaces directly with the CIU to read/write information to and from the UET card and communicate with the main central computer for customer database, credit verification, etc.);

said data management server identifies the customer based on said information provided from said process execution terminal, generates reply information based on said registration information about said customer, and provides said reply information to said process execution terminal (column 14, lines 40-50, after proper verification at the main central computer, the authorization will appear on the display of the point of sales computer); and

said process execution terminal executes a process for said customer based on said reply information when receiving said reply information (column 14, lines 52-60, the POS salesperson request the customer to sign the bill, verifies the signature and complete the transaction).

Pitroda does not disclose wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server. However, Ogasawara discloses wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server (column 10, lines 15-32, the remoter server 26 stores the customer information in the customer information database, this information is stored in the remote server when the customer enrolls in the personal shopping application; the store server 26 uses the customer's wireless phone number to search for the customer information, thus the customer information is only stored at the remote server 26, not at the customer's wireless telephone 18). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the feature taught by Ogasawara above

for the purpose of providing more security, avoiding identity thief in case of the card lost or stolen.

Regarding to claim 2, Pitroda further discloses said data management server sends said information for identifying the customer to said customer communication terminal when said customer communication terminal accesses said data management server; and said customer communication terminal receives said information sent from said data management server and outputs said information to said process execution terminal (column 16, lines 13-25, once the service institution has identified the user, it transmits to the UET card the required information, e.g. the category of service institution, the date of issuance, the date of expiration, the credit limit, the card number the name and an image of the institution, a graphic image of the service institution's logo; column 16, line 60-column 17, line 10, the user provides the UET card displaying the American Express image to a sales person, the sales person connects the UET card to the CIU, the CIU receives the appropriate information form the UET card regarding to the user's American Express account).

Regarding to claim 3, Pitroda further discloses wherein said data management server inquires to an external credit institution about a credit card number for payment and provides information obtained from said external credit institution as said reply information if said registration information is the number of a card for payment (column 16, lines 1-25).

Regarding to claim 4, Pitroda further discloses wherein said data management server information communicates an amount billed included in said registration

information as said reply if said registration information is information about billing issued to said customer (column 14, lines 40-45).

Regarding to claim 5, Pitroda further discloses wherein: said data management server determines whether an admission ticket is valid or not and provides the determination as said reply information, if said registration information is information about said admission ticket', and said process execution terminal outputs information indicating whether said customer is panted admittance or not based on said reply information from said data management server (column 17, line 63-column 18, line 2).

Regarding to claim 6, Pitroda further discloses a processing system comprising:

a data management server for associating an identification code identifying a customer with registration information registered for said customer and sending mark data representing said identification code to a customer communication terminal (figure 2 and column 10, line 65-column 11, line 3, the main central computer 26); ; and

a process execution terminal adapted for data communication with said data management server, said process execution terminal having a mark reader for reading a mark displayed on the display of said customer communication terminal based on said mark data, and executing a process for said customer based on said read mark data (column 16, line 50-column 17, line 5, the user provides the UET card displaying the American Express image to a sales person, the sales person connects the UET card to the CIU connected to the POS, the CIU receives the appropriate information from the UET card regarding the user's account), wherein:

said process execution terminal sends said mark data read by said mark reader to said data management server (column 17, lines 3-10, the CIU sends the information received from the UET card to the American Express credit service);

said data management server identifies said registration information associated with said identification code based on said mark data sent from said process execution terminal, generates instruction information indicating a process to be performed for said customer based on said registration information, and sends said instruction information to said process execution terminal (column 17, lines 10-20), and

said process execution terminal, which receives said instruction information, executes the process for the customer based on said instruction information (column 17, lines 20-38).

Pitroda does not disclose wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server. However, Ogasawara discloses wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server (column 10, lines 15-32, the remoter server 26 stores the customer information in the customer information database, this information is stored in the remote server when the customer enrolls in the personal shopping application; the store server 26 uses the customer's wireless phone number to search for the customer information, thus the customer information is only stored at the remote server 26, not at the customer's wireless telephone 18). Therefore, it would have been obvious to one with ordinary skill in the art at the time the

invention was made to modify Pitroda to adopt the feature taught by Ogasawara above for the purpose of providing more security, avoiding identity thief in case of the card lost or stolen.

Regarding to claim 7, Pitroda does not disclose wherein said mark is a two-dimensional barcode. However, a two-dimensional barcode is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the well-known feature above for the purpose of providing more convenient in processing purchase transaction.

Regarding to claim 8, Pitroda does not disclose wherein said mark data sent to said customer communication terminal from said data management server is invalidated after the completion of the process in said process execution terminal. However, invalidating the mark data sent is well known in the art. For example, invalidating used coupon contained barcode. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the well-known feature above for the purpose of enhancing the security.

Regarding to claims 9-10, Pitroda does not disclose wherein said data management server sets information different from a payment card number held by said customer or an account number of said customer as said identification code, wherein said data management server sets a telephone number of said customer communication terminal as said identification code. However, setting a telephone number of said customer communication terminal as said identification code is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the

art at the time the invention was made to modify Pitroda to adopt the well-known feature above for the purpose of providing more convenient in processing purchase transaction using customer communication terminal.

Regarding to claim 11, Pitroda discloses a server comprising:

data storage for associating an identification code identifying a customer with registration information registered for said customer and storing said identification code and said registration information (column 10, line 65-column 11, line 3, the main central computer 26 includes customer database 27);

a customer communication section capable of data communication with a customer communication terminal (column 16, lines 1-25, the UET card communicates with the central computer via the CIU); and

a code issuing section for sending said identification code to said customer communication terminal through said customer communication section in response to a received request (column 16, lines 15-20, the service institution transmits to the UET card the required information, e.g. the card number).

Pitroda does not disclose wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server. However, Ogasawara discloses wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server (column 10, lines 15-32, the remoter server 26 stores the customer information in the customer information database, this information is stored in the remote server when the customer enrolls in

the personal shopping application; the store server 26 uses the customer's wireless phone number to search for the customer information, thus the customer information is only stored at the remote server 26, not at the customer's wireless telephone 18). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the feature taught by Ogasawara above for the purpose of providing more security, avoiding identity thief in case of the card lost or stolen.

Regarding to claim 12, Pitroda does not disclose wherein said code issuing section sends said identification code in barcode data form. However, using identification code in barcode data form is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the well-known feature above for the purpose of providing more convenient in processing purchase transaction.

Regarding to claim 13, Pitroda further discloses wherein said data storage associates a password set by said customer with said identification code and stores said password and said identification code; and said code issuing section verifies whether a password, input from said customer communication terminal, matches said password stored in said data storage, and issues said identification code (column 16, lines 10-12, the service institution identifies the user by a PIN code).

Regarding to claim 14, Pitroda discloses further comprising: a process executer communication section capable of data communication with a process execution terminal for execution of a process requested by said customer; and all instruction

information issuing section for generating instruction information indicating the process to be performed by said process execution terminal for said customer based on said registration information associated with said identification code when receiving said identification code issued by said code issuing section through said process executer communication section from said process execution terminal, and providing said instruction information to said process execution terminal through said process executer communication section (column 14, lines 35-60).

Regarding to claim 15, Pitroda does not disclose wherein said data storage stores as said registration information a number of membership points held by said customer; said instruction information issuing section informs a process execution terminal of the number of membership points as said instruction information when receiving said identification code and stores a new number of membership points in said data storage when receiving a new number of membership points changed from said number of membership points from said process execution terminal. However, storing membership points in the customer terminal such as smartcard, IC card and processing membership points at the POS terminal is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the include the feature above for the purpose of providing more convenient in processing membership points stored in the customer terminal.

Regarding to claim 16, Pitroda discloses further comprising a process confirmation section for confirming whether a process requested by said process execution terminal should be performed or not with said customer communication

terminal before said instruction information issuing section provides said instruction information to said process execution terminal (column 17, lines 10-38).

Regarding to claim 17, Pitroda discloses a processing terminal comprising:

a code receiver for receiving an identification code, output from a communications terminal of a customer, for identifying said customer (figure 2 and column 16, lines 65-67, the POS includes the CIU which receives the appropriate information from the UET card regarding the user's account); and

process information output logic for inquiring of all external server about said identification code received by said code receiver and outputting process information for said customer based on a reply from said external server about said identification code (column 14, lines 45-50, the point of sales computer will download and display the transaction details and transmit the transaction information into the memory of the UET card, on which the transaction information may be displayed for visual verification by the customer).

Pitroda does not disclose wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server. However, Ogasawara discloses wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data management server (column 10, lines 15-32, the remoter server 26 stores the customer information in the customer information database, this information is stored in the remote server when the customer enrolls in the personal shopping application; the store server 26 uses the customer's wireless

phone number to search for the customer information, thus the customer information is only stored at the remote server 26, not at the customer's wireless telephone 18). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the feature taught by Ogasawara above for the purpose of providing more security, avoiding identity thief in case of the card lost or stolen.

Regarding to claim 18, Pitroda further discloses wherein said code receiver receives said identification code data from said customer communications terminal by communication wireless (column 10, lines 10-13, the CIU means for receiving data from the UET card, e.g. infrared or radio frequency based wireless systems).

Regarding to claim 19, Pitroda does not disclose wherein said code receiver comprises a barcode reader for reading a two-dimensional barcode displayed on the display of said customer communications terminal. However, employing a barcode reader for reading a two-dimensional barcode displayed on the display of said customer communications terminal is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the well-known feature above for the purpose of providing more convenient in processing purchase transaction.

Regarding to claim 20, Pitroda further discloses wherein said process information output logic displays an amount claimed from said customer based on a reply provided by said external server about said identification code (see figure 16).

Regarding to claims 21-23, Pitroda discloses a communication terminal comprising:

a display for displaying an image (figure 3 and column 11, lines 30-34, the UET card includes a full scale LCD & touch screen display 30).

a communicator capable of accessing an external server (figure 1 and column 10, lines 10-11, the UET card includes the metal contracts 13 or infrared or radio frequency based wireless systems for communication with the CIU);

a code issue requester for accessing an external server through said communicator and requesting said external server to issue a process code (column 16, lines 1-16, the UET card communicates with the service institution to request the information, e.g. the card number); and

a display controller for causing said display to display said process code, wherein said process code is issued from said external sever and received through said communicator (figure 14 and column 14, lines 20-35).

Pitroda does not disclose wherein the external server issues the process code by associating information for identifying a customer using the communication terminal with registration information about the customer and wherein the information for identifying the customer and the registration information about the customer is associated with each other only at the data external server. However, Ogasawara discloses wherein the external server issues the process code by associating information for identifying a customer using the communication terminal with registration information about the customer and wherein the information for identifying the customer and the registration

information about the customer is associated with each other only at the data external server (column 10, lines 15-32, the remoter server 26 stores the customer information in the customer information database, this information is stored in the remote server when the customer enrolls in the personal shopping application; the store server 26 uses the customer's wireless phone number to search for the customer information, thus the customer information is only stored at the remote server 26, not at the customer's wireless telephone 18). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the feature taught by Ogasawara above for the purpose of providing more security, avoiding identity thief in case of the card lost or stolen.

Moreover, Pitroda does not disclose the process code is displayed in two-dimensional barcode form, wherein said two-dimensional barcode displayed on said display is associated with information on billing issued to a customer holding said communications terminal, two-dimensional barcode displayed on said display includes data for an admission ticket. However, displaying the process code in two-dimensional barcode form associated with information on billing issued to a customer holding said communications terminal, and two-dimensional barcode displayed on said display includes data for an admission ticket are well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Pitroda to adopt the well-known feature above for the purpose of providing more convenient in processing purchase transaction.

Claims 24-26 contain similar limitations found in claims 1, 11, 17 above, therefore, are rejected by the same rationale.

Claims 27-28 contain similar limitations found in claims 1,17 above, therefore, are rejected by the same rationale.

Conclusion

7. Claims **1-28** are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

Nga Nguyen

NGA NGUYEN
PRIMARY EXAMINER

September 1, 2006